

**Amendments to the Claims:**

1. (original) A method for identifying the track capacity of a track of an optical disk in an optical disk drive, the method comprising:
  - 5 (a) checking if any track of a session having a target track has link blocks;
  - (b) determining the write mode of the target track; and
  - (c) calculating track capacity of the target track according to its write mode.
- 10 2. (original) The method of claim 1 further comprising utilizing the optical disk drive to access the program memory area (PMA) of the optical disk and the table of contents (TOC) of the session having the target track, wherein step (c) further comprises setting actual capacity of the target track as the size of the target track excluding its pre-gap in the case that either the TOC exists but the PMA does not or the TOC and PMA exist but the track information of the session is not recorded in the PMA.
- 20 3. (original) The method of claim 2, wherein the write mode of the target track is disc-at-once (DAO), session-at-once (SAO), or RAW.
- 25 4. (original) The method of claim 1 further comprising utilizing the optical disk drive to access the program memory area (PMA) of the optical disk and the table of contents (TOC) of a session having the target track, wherein step (b) further comprises determining whether the write mode of the target track is a packet-write mode according to contents of the PMA in the case that the TOC does not exist but the

PMA exists and the track information of the session is recorded in the PMA.

5. (original) The method of claim 4, wherein step (c) further comprises setting actual capacity of the target track as the size of the target track excluding its pre-gap and last two link blocks when the write mode of the target track is not a packet-write mode.
- 10 6. (original) The method of claim 4, further comprising accessing the track descriptor block (TDB) of the target track to determine whether the write mode of the target track is a fixed packet write (FPKT) or variable packet write (VPKT) when its write mode is a packet-write mode.
- 15 7. (original) The method of claim 6, wherein step (c) further comprises setting actual capacity of the target track as the size of the target track excluding its pre-gap and last two link blocks when the write mode of the target track is VPKT.
- 20 8. (original) The method of claim 6, wherein step (c) further comprises setting actual capacity of the target track as the size of the target track excluding its pre-gap and all link blocks when the write mode of the target track is FPKT.
- 25 9. (original) The method of claim 1 further comprising utilizing the optical disk drive to access the program memory area (PMA) of the optical disk and the table of contents (TOC) of a session having the target track, and determining if any track of the session exists in a

packet-write mode, wherein step (c) further comprises determining whether the write mode of the target track is a fixed packet write (FPKT) or variable packet write (VPKT) by accessing the track descriptor block (TDB) of the target track when the TOC and PMA exist, the track information of the session is recorded in the PMA, and the session has a track in packet-write mode.

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10. (original) The method of claim 9, wherein step (c) further comprises setting actual capacity of the target track as the size of the target track excluding its pre-gap and last two link blocks when the write mode of the target track is VPKT.
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11. (original) The method of claim 9, wherein step (c) further comprises setting actual capacity of the target track as the size of the target track excluding its pre-gap and all link blocks when the write mode of the target track is FPKT.
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12. (original) The method of claim 1, further comprising utilizing the optical disk drive to access the program memory area (PMA) of the optical disk and the table of contents (TOC) of a session having the target track, and determining if any track in the session exists in a packet-write mode, wherein step (c) further comprises setting the actual capacity of the target track as the target track excluding its pre-gap and last two link blocks when the TOC and PMA exist and the track information of the session is recorded in the PMA, the session has no track in packet-write mode, and in step (a) the track of the session has link blocks.
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13. (original) The method of claim 1, further comprising utilizing the optical disk drive to access the program memory area (PMA) of the optical disk and the table of contents (TOC) of a session having the target track, and determining if any track in the session exists in a packet-write mode, wherein step (c) further comprises setting the actual capacity of the target track as the size of the target track excluding its pre-gap when the TOC and PMA exist and the track information of the session is recorded in the PMA, the session has no track in packet-write mode, and in step (a) no track of the session has link blocks.
14. (original) The method of claim 1, wherein the optical disk drive is a read-only optical disk drive or a recordable optical disk drive.
15. (original) An optical disk drive for utilizing the method of claim 1 to identify track capacity of a track of an optical disk.
16. (original) A method for determining the write mode of a track of an optical disk in an optical disk drive, the method comprising:
- (a) utilizing the optical disk drive to determine if any track of a session having a target track has link blocks; and
- (b) determining the write mode of the target track accordingly.
17. (currently amended) The method of claim 16, further comprising utilizing the optical disk drive to access the program memory area (PMA) of the optical disk and the table of contents (TOC) of a session having the target track, wherein if either the TOC exists but the PMA does not or the TOC and PMA exist but the track information of the

session is not recorded in the PMA, the write mode of the target track is disc-at-once (DAO), session-at-once session-at-one (SAO), or RAW.

- 5 18. (original) The method of claim 16, further comprising utilizing the optical disk drive to access the program memory area (PMA) of the optical disk and the table of contents (TOC) of a session having the target track, wherein if the TOC does not exist but the PMA exists and the track information of the session is recorded in the PMA, the write  
10 mode of the target track is packet-write mode or track-at-once (TAO).
- 15 19. (original) The method of claim 18, further comprising determining whether the write mode of the target track is a packet-write mode according to the contents of the PMA.
- 20 20. (original) The method of claim 18, wherein step (b) further comprises accessing the track descriptor block (TDB) of the target track to determine whether the write mode of the target track is fixed packet write (FPKT) or variable packet write (VPKT) when the write mode is a packet-write mode.
- 25 21. (original) The method of claim 16, further comprising utilizing the optical disk drive to access the program memory area (PMA) of the optical disk and the table of contents (TOC) of a session having the target track, and to determine if any track of packet-write mode exists in the session, wherein step (b) further comprises determining the write mode of the target track is fixed packet write (FPKT) or variable packet write (VPKT) by accessing the track descriptor block (TDB) of

the target track when the TOC and the PMA exist with recording the track information of the session and the session having a track of packet-write mode.

- 5    22. (currently amended) The method of claim 16, further comprising utilizing the optical disk drive to access the program memory area (PMA) of the optical disk and the table of contents (TOC) of a session having the target track, and to determine if any track of packet-write mode exists in the session, wherein if the TOC and PMA exist with 10 recording the track information of the target track, no track of packet-write mode exists in the session, and no track of the session has link blocks in step (a), the write mode of the target track is data-at-once-~~data at one~~ (DAO), session-at-once (SAO), or RAW.
- 15    23. (currently amended) The method of claim 16, further comprising utilizing the optical disk drive to access the program memory area (PMA) of the optical disk and the table of contents (TOC) of a session having the target track, and to determine if any track of packet-write mode exists in the session, wherein if the TOC and PMA exist with 20 recording the track information of the target track, no track of packet-write mode exists in the session, and a track of the session has link blocks in step (a), the write mode of the target track is track-at-once-~~track at one~~ (TAO).
- 25    24. (original)    The method of claim 16, wherein the optical disk drive is a read-only optical disk drive or a recordable optical disk drive.
25. (original)    An optical disk drive for utilizing the method of claim 16

to determine the write mode of a track of an optical disk.

26. (original) A method for identifying track capacity of a track of an optical disk in an optical disk drive, the method comprising:

- 5       (a) setting actual capacity of a target track as the size of the target track excluding its pre-gap when the write mode of the target track is a first type; and
- (b) setting actual capacity of the target track as the size of the target track excluding its pre-gap and at least a part of link blocks when  
10      the write mode of the target track is a second type;  
wherein the target track comprises a plurality of link blocks when its write mode is the second type.

27. (original) The method of claim 26, wherein the first type of write  
15      mode is disc-at-once (DAO), session-at-once (SAO), or RAW.

28. (original) The method of claim 26, wherein the second type of write mode is track-at-once (TAO), fixed packet write (FPKT), or variable packet write (VPKT).

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29. (original) The method of claim 28, further comprising setting actual capacity of the target track as the size of the target track excluding its pre-gap and last two link blocks when the write mode of the target track is TAO.

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30. (original) The method of claim 28, further comprising setting actual capacity of the target track as the size of the target track excluding its pre-gap and last two link blocks when the write mode of the target

track is VPKT.

31. (original) The method of claim 28, further comprising setting actual capacity of the target track as the size of the target track excluding its pre-gap and all link blocks when the write mode of the target track is FPKT.  
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32. (original) The method of claim 26, wherein the optical disk drive is a read-only optical disk drive or a recordable optical disk drive.  
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33. (original) An optical disk drive for utilizing the method of claim 26 to identify track capacity of a track of an optical disk.  
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34. (new) The method of claim 1, further comprising:  
determining the write mode of each track of the optical disk during an initialization process when the optical disk is loaded into the optical disk drive;  
20 storing the write mode of each track of the optical disk in a memory of the optical disk drive during the initialization process; and calculating the track capacity of the target track according to its write mode stored in the memory.  
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35. (new) The method of claim 1, further comprising:  
determining the write mode of each track of the optical disk during an

initialization process when the optical disk is loaded into the optical disk drive;

5 calculating the track capacity of each track of the optical disk according to the determined write mode of each track during the initialization process; and

storing the track capacity of each track of the optical disk in a memory of the optical disk drive during the initialization process.

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36. (new) The method of claim 16, further comprising:

determining the write mode of each track of the optical disk during an initialization process when the optical disk is loaded into the optical disk drive; and

15 storing the write mode of each track of the optical disk in a memory of the optical disk drive during the initialization process.

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37. (new) The method of claim 26, further comprising:

determining the write mode of each track of the optical disk during an initialization process when the optical disk is loaded into the optical disk drive;

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storing the write mode of each track of the optical disk in a memory of the optical disk drive during the initialization process; and

setting the actual track capacity of the target track according to its write mode stored in the memory.

38. (new) The method of claim 26, further comprising:

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determining the write mode of each track of the optical disk during an initialization process when the optical disk is loaded into the optical disk drive;

10 setting the actual track capacity of each track of the optical disk according to the determined write mode of each track during the initialization process; and

15 storing the actual track capacity of each track of the optical disk in a memory of the optical disk drive during the initialization process.